

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

NISHEKA HAYES

CASE NO. 1:18-CV-01354

VERSUS

JUDGE ROBERT R. SUMMERHAYS

TERRANCE HOWARD, ET AL.

MAGISTRATE JUDGE PEREZ-MONTES

JUDGMENT

This matter was referred to United States Magistrate Judge Perez-Montes for report and recommendation. After an independent review of the record, and noting the absence of any objections, the Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that the Motion to Dismiss filed by the City of Alexandria, Corporal Terrance Howard, and "Unknown Officers" [Doc. No. 8] is **DENIED IN PART AS MOOT** and **GRANTED IN PART** as follows: the motion is denied as moot to the extent Defendants seek dismissal of Plaintiffs' claims for punitive damages under federal law against the City of Alexandria, and against Howard and the Unknown Officers in their official capacities; the motion is granted to the extent it seeks dismissal of Plaintiff's claim for punitive damages under state law.

In light of the foregoing, the Clerk of Court is **INSTRUCTED** to terminate Doc. No. 8.

Signed at Lafayette, Louisiana, this 5th day of August, 2019.

A handwritten signature in black ink, appearing to read 'R. Summerhays', is written over a horizontal line.

**ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE**